

No. 45/06

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and Cooperation of the Government of the Republic of Burundi and refers to discussions between representatives of the two Governments regarding the provision of defense articles, related training, and other defense services on a grant basis pursuant to the Foreign Assistance Act of 1961, as amended, or successor legislation, and to the provision of articles and services, including training and training materials, pursuant to the International Military Education and Training (IMET) program and the Peacekeeping Operations (PKO) program. In this regard the Embassy refers to the Agreement concerning the provision of training related to defense articles under the United States International Military Education and Training (IMET) Program, effected by exchange of notes at Bujumbura on September 21 and October 8, 1982 (the 1982 Agreement).

In accordance with these discussions, the Embassy proposes that the Government of the Republic of Burundi agree:

A. That unless the consent of the Government of the United States of America has been first obtained the Government of the Republic of Burundi shall not:

(1) Permit any use of such defense articles, related training, including training materials, other defense services, other articles, and other services (hereinafter "articles and services") by anyone not an officer, employee or agent of the Government of the Republic of Burundi;

DIPLOMATIC NOTE

(II) Transfer or permit any officer, employee or agent of the Government of the Republic of Burundi to transfer such articles and services by gift, sale or otherwise; or

(III) Use or permit the use of such articles and services for purposes other than those for which they are provided;

B. That such articles and services shall be returned to the Government of the United States of America when they are no longer needed for the purposes for which they were furnished, unless the Government of the United States of America consents to another disposition;

C. That the net proceeds of sale received by the Government of the Republic of Burundi in disposing of, with the prior written consent of the Government of the United States of America, any article furnished by the Government of the United States of America on a grant basis, including scrap from any such article, shall be paid to the Government of the United States of America;

D. That the Government of the Republic of Burundi shall maintain the security of such articles and services; that it shall provide substantially the same degree of security protection afforded to such articles and services by the Government of the United States of America; that it shall, as the Government of the United States of America may require, permit continuous observation and review by, and furnish necessary information to, representatives of the Government of the United States of America with regard to the use thereof by the Government of the Republic of Burundi; and

E. That the Government of the United States of America may also, from time to time, make the provision of articles and services furnished under other authority (except the United States Arms Export Control Act) subject to the terms and conditions of the agreement proposed herein. (Transfers under the United States Arms Export Control Act shall continue to be governed by the requirements of that Act and United States regulations applicable to such transfers.)

The Embassy further proposes that the Ministry of Foreign Affairs' note stating that the foregoing is acceptable to the Government of the Republic of Burundi shall, together with this note, constitute an agreement between the two Governments, which shall supersede the 1982 Agreement in its entirety and shall enter into force on the date of the Ministry's note.

The Embassy of the United States of America takes this opportunity to renew to the Ministry of Foreign Affairs and Cooperation the assurances of its highest consideration.

Embassy of the United States of America,
Bujumbura, June 13, 2006.





TRANSLATION

**Republic of Burundi
Ministry of Foreign Relations and International Cooperation**

No. 204.201527/RE/2007

Bujumbura, August 8, 2007

NOTE VERBALE

The Ministry of Foreign Relations and International Cooperation of the Republic of Burundi presents its compliments to the Embassy of the United States of America at Bujumbura and refers to the Embassy's diplomatic note No. 45/06 of June 12, 2006, regarding grants, from the United States of America to the Government of Burundi, pursuant to the Foreign Assistance Act of 1961, as amended, or successor legislation, and the provision of defense articles, related training, and other defense services, including but not limited to training and training materials pursuant to the International Military Education and Training (IMET) program and the Peacekeeping Operations program.

Embassy of the United States of America,
Bujumbura.

The Ministry of Foreign Relations and International Cooperation of the Republic of Burundi has the honor to confirm that the proposal contained in the note is acceptable to the Government of the Republic of Burundi and that the Embassy's note and this note verbale shall constitute an agreement between the two Governments, which shall enter into force on this date.

Furthermore, this new agreement shall supersede the agreement concerning the provision of training related to defense articles under the U.S. IMET program, concluded by the exchange of notes effected at Bujumbura on September 21 and October 8, 1982.

[Complimentary close]

Bujumbura, _____, 2007

[Initialed]

[Ministry stamp]